Exhibit H

U.S. Department of Justice
Drug Enforcement Administration
FOI/Records Management Section
8701 Morrissette Drive
Springfield, Virginia 22152

SEP 2 4 2018

Case Number: 18-01069-F

Subject: Records regarding the agency's use, acquisition, borrowing, sale, loan, research, and/or development of hacking techniques or equipment, software, and/or technology that implements or facilitates hacking techniques, etc.

Alex Betschen
507 O'Brian Hall North Campus
Buffalo, New York 14260-6222

Dear Mr. Betschen:

This letter responds to your Freedom of Information/Privacy Act request dated September 10, 2018, addressed to the Drug Enforcement Administration, Freedom of Information/Privacy Act Unit, seeking expedited treatment.

In your request letter, you request expedited treatment pursuant to the first, second, third, and/or fourth standards enumerated in the Department of Justice's regulations. Expedited treatment pursuant to the first standard will be granted where not doing so "could reasonably be expected to pose an imminent threat to the life or physical safety of an individual." 5 U.S.C. § 552(a)(6)(E)(v)(I). *See also* 28 C.F.R. § 16.5(e)(1)(i) (2015). Under the second standard, you must show that there is "[a]n urgency to inform the public about an actual or alleged Federal Government activity, if made by a person primarily engaged in disseminating information." 5 U.S.C. § 552(a)(6)(E)(v)(II). *See also* 28 C.F.R. § 16.5(e)(1)(ii) (2015). Under the third standard, you must show that the request involves "[t]he loss of substantial due process rights." 28 C.F.R. § 16.5(e)(1)(iii) (2015). Under the fourth standard, you must show that the subject matter of your request is a "matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence." *Id.* at § 16.5(e)(1)(iv). This office makes determinations regarding the first three standards, while the Department's Director of Public Affairs makes determinations regarding the fourth standard. *See id.* at § 16.5(e)(2).

You have requested expedited processing of your request pursuant to the Department's standard permitting expedition for requests involving "[a]n urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information." 28 C.F.R. § 16.5(e)(1)(ii) (2015). Based on the information you have provided, we have determined that your request for expedited processing under this standard should be denied. This office cannot identify a particular urgency to inform the public about an actual or alleged federal government activity beyond the public's right to know about

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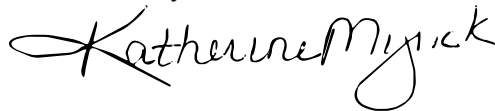
government activities generally. Please be advised that, although your request for expedited processing has been denied; it has been assigned to a Government Information Specialist in this office.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: https://www.foiaonline.gov/foiaonline/action/public/home. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, you may contact our Customer Service Hotline Representative at 202-307-7596 or mail your correspondence to the above address. In addition, you may contact our FOIA Public Liaison at 202-307-7596 to discuss any aspect of your request.

Sincerely,

Katherine Myrick

Katherine L. Myrick, Chief
Freedom of Information/Privacy Act Unit
FOI/Records Management Section